

Message

From: Donaldson, Guy [Donaldson.Guy@epa.gov]
Sent: 4/22/2019 9:25:11 PM
To: Brachtl, Megan [Brachtl.Megan@epa.gov]; Perez, Idalia [Perez.Idalia@epa.gov]
CC: Santiago, Juan [Santiago.Juan@epa.gov]; Lessard, Patrick [Lessard.Patrick@epa.gov]; Stenger, Wren [stenger.wren@epa.gov]; Bartley, Richard [Bartley.Richard@epa.gov]; Shar, Alan [shar.alan@epa.gov]; Feldman, Michael [Feldman.Michael@epa.gov]
Subject: RE: heads-up: for sharing with ADDs once TX SM SIP Call Withdrawal proposal is signed
Attachments: Talking points SSM Texas 18 April 2019.docx

Idalia,

If you would forward the following note to the ADDs:

We expect the Region 6 Acting Regional Administrator to sign an action on April 23 that (1) outlines an alternative interpretation under consideration regarding the permissibility of affirmative defense provisions in the State Implementation Plans (SIPs) of states located in Region 6 that departs from the EPA's 2015 policy on this subject; and (2) proposes to withdraw a SIP Call issued to Texas in 2015 based on a finding that the affirmative defense provisions in the SIP for the state of Texas applicable to excess emissions that occur during certain upset events and unplanned maintenance, startup, or shutdown activities are adequately protective and do not interfere with any applicable requirement of the Clean Air Act such that they would be consistent with the newly announced Region 6 alternative interpretation if adopted.

This proposal is likely to generate questions from your States. I have included talking points and FAQs that you can use in responding. Note, however, these are internal documents and not meant for sharing outside the agency.

Thank you.

From: Brachtl, Megan
Sent: Monday, April 22, 2019 3:46 PM
To: Perez, Idalia <Perez.Idalia@epa.gov>
Cc: Donaldson, Guy <Donaldson.Guy@epa.gov>; Santiago, Juan <Santiago.Juan@epa.gov>; Lessard, Patrick <Lessard.Patrick@epa.gov>
Subject: heads-up: for sharing with ADDs once TX SM SIP Call Withdrawal proposal is signed
Importance: High

Hi Idalia,

This is a heads-up that this week (potentially as soon as **today**), we expect that the Region 6 acting Regional Administrator will sign an action

I understand that Region 6 intends to work with you to announce this action to the ADDs and provide talking points that they developed (Guy copied here). Due to the likelihood that this action will attract national attention, and as requested by regional ADDs some time ago, OAQPS and OGC developed the attached FAQs to assist regional offices in addressing questions they might receive from their states as a result of this action. We ask that regions not send the electronic document to their states, but refer to it to respond to their questions.

Will you please attach this FAQ document to the email you send to the ADDs announcing the Region 6 action? I believe Guy will send to you the specific talking points they generated separately for the proposed TX action.

Please let Patrick and me know if you have any questions or concerns about this document.

Thanks for your help,

Megan

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